



Mass. Dept. of Public Utilities.
Annual report.

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

.....June 30, 1946.....

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1946

To the Honorable Senate and House
of Representatives

We respectfully submit the twenty-seventh
Annual Report of the Commission of the Department
of Public Utilities for the fiscal year ending
June 30, 1946.

Honorable David M. Brackman, Commissioner of
the Department, resigned March 20, 1946, to accept
an appointment as a member of the Board of Tax
Appeals. The vacancy caused by his resignation was
filled by the appointment of Hirsh Freed of Hull who
assumed the duties of Commissioner as of March 21,
1946.

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COMMISSION ON ADMINISTRATION
AND FINANCE

BY _____

Returns

The number of corporations, private and municipal, persons, firms and associations under the jurisdiction of and filing annual returns for the year ending December 31, 1945, with the Department exclusive of those filing under the Sale of Securities Act, is as follows:

Steam Railroads.....	19	Manufacturing and other	
Street Railways.....	15	companies and persons	
Telephone companies.....	8	doing an electric	
Telegraph Companies.....	2	business.....	4
Steamboat Companies.....	3	Water Companies.....	73
Sleeping Car Companies.....	1	Motor Bus Lines.....	62
Express Companies.....	2	Municipal Lighting Plants.....	41
Gas Companies.....	43	Voluntary Associations.....	17
Electric Companies.....	33	Affiliates of gas and	
		electric companies.....	3
Total.....			327

In addition to the above, there are within the jurisdiction of the Department, 691 regular route common carriers, 8530 irregular route common carriers, 1120 contract carriers operating motor vehicles for the transportation of property for compensation between points within the Commonwealth, 2017 interstate licensed carriers, 78 agricultural carriers, and 5 licensed transportation brokers.

During the fiscal year the Commission held 354 formal hearings, and 34 conferences. The volume and character of the work requiring the attention of the Department during the fiscal year is shown by the following tabulation.

Petitions and Applications

Railroads.....	118
Street Railway.....	87
Gas and Electric.....	58
Water.....	2
Motor Bus.....	294
Motor Truck.....	425
Telephone and Telegraph.....	2

Steamship.....	1
Sale of Securities.....	6
Miscellaneous.....	6
Total.....	999

Complaints

Railroads.....	238
Street Railway.....	4
Gas.....	113
Electric.....	270
Water.....	32
Motor Bus.....	91

Motor Truck.....	2394
Telephone and Telegraph.....	1045
Sale of Securities.....	6
Smoke Abatement.....	132
Total.....	4325

Rate Schedules & Contracts

Railroad Freight Service.....	1028
Passenger Service.....	93
Express.....	66
Street Railway and Busses.....	104
Telephone.....	25
Telegraph.....	52
Steamship Freight.....	24
Steamship Passengers.....	11

Motor Truck.....	4077
Air Freight.....	4
Air Craft Passenger.....	23
Electricity.....	257
Gas.....	39
Water.....	0
Gas & Electric Contracts.....	87
Total.....	5890

The receipts of the Department of Public Utilities for the fiscal period from July 1, 1945 to June 30, 1946, are given below:

GAS, ELECTRIC AND WATER DIVISION:

Fees, gas meter tests,	\$20,281.60	
Fees, electric meter tests,	-----	
Sales, blank forms, classification of accounts, etc.,	<u>321.20</u>	\$20,602.80

PUBLIC SERVICE DIVISION:

<u>Motor Busses:</u>		
Fees, bus permits,	6,009.00	
Fees, drivers' licenses,	<u>8,649.00</u>	14,658.00
 <u>Miscellaneous:</u>		
Sales - blank forms,	35.30	35.30

COMMERCIAL MOTOR VEHICLE DIVISION:

<u>Motor trucks:</u>		
Fees, Common Carrier Certificates,	21,910.00	
Fees, Contract Carrier Permits,	1,765.00	
Fees, distinguishing plates,	<u>120,991.00</u>	121,001.00
Fees, miscellaneous plate receipts,	371.50	
Fees, copies of documents,	<u>153.00</u>	145,260.50

SECURITIES DIVISION:

Fees, registration of brokers,	22,250.00	
Fees, registration of salesmen,	<u>11,005.00</u>	33,255.00

<u>RENT OF LAND, in Cambridge,</u>	2,750.00	2,750.00
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MISCELLANEOUS:

Postage,	71.46	
Federal tax on telephone calls,	<u>12.01</u>	83.47

TOTAL

\$216,645.07

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COMPTROLLER'S BUREAU

THE PRINCIPAL FINANCIAL ITEMS OF
THIS REPORT ARE IN AGREEMENT
WITH THE COMPTROLLER'S BOOKS.

Dec. 4, 1946 Joseph A. Brenney
DATE CHECKED BY
Fred A. Mancure
COMPTROLLER

Special Investigations

The special commission established by Chapter 64 of the Resolves of 1939, of which the Chairman of this Department is a member, was revived and continued by Chapter 35 of the Resolves of 1943.

The purpose of this commission is to investigate so much of the Governor's address as relates to the possibilities of coordinating transportation facilities in and around the Metropolitan Area, and Senate Document No. 362 of 1939 relative to the advisability of extending the rapid transit system from the South Station to the Readville District of the City of Boston, to investigate the operation of the lines of railroads in this Commonwealth of the New York, New Haven and Hartford Railroad Company, the Old Colony Railroad Company and the Boston and Providence Railroad Corporation and in general the transportation facilities within the Commonwealth with a view to determining what action should be taken to assure continued transportation service particularly commuter passenger service and the subject matter of House Document No. 580 of 1943. The special commission filed a report as to the results of its investigation and its recommendations with the General Court on January 4, 1945, House Document No. 1550 of 1945.

On June 28, 1945, the General Court passed a Resolve, Chapter 41, and on July 18, 1945, Resolve Chapter 58, which resolves provide for a further investigation by a special commission of three principal matters, first, the future of the passenger service on the Old Colony Railroad, second, the possibility of electrification of lines entering Boston and consideration of the bills which had been introduced in the Legislature to accomplish this, and third, related to extending the so-called twelve ride commutation ticket beyond the present fifteen-mile limit to additional suburbs of Boston.

This commission is to consist of one member of the Senate, to be designated by the President thereof, three members of the House of Representatives, to be designated by the Speaker thereof, three persons to be appointed by the Governor, the Attorney General, and the Chairman of the Commission of the Department of Public Utilities.

The Special Commission filed a report as to the results of its investigation and its recommendations with General Court on May 1, 1946, House Document No. 2119. On Thursday June 13, 1946, said report was accepted by the House of Representatives and the Senate. No legislation necessary.

Metropolitan Transit Recess Commission

This Commission is composed of 14 members: The Lt. Governor, one member of the Senate, seven members of the House of Representatives and the five commissioners of the Department of Public Utilities.

This Commission was organized as of September 24, 1945 as follows:

Lt. Governor, Arthur W. Coolidge, Chairman
Rep. Peter J. Jordan, Vice Chairman
Rep. Hallom T. Ring, Secretary
Carroll L. Meins, Administrative Chairman

together with the following members:

Senator, Richard I. Furbush	
Rep. Robert P. Campbell	
Rep. Richard J. Allen	
Rep. Robert G. Connelley	
Rep. Dennis P. Glynn	
Rep. Albert E. Roberts	
Francis M. McKeown)	Commissioners of the
John M. Whouley)	Department
Thomas A. Flaherty)	of Public
David M. Brackman)	Utilities

Judge Gilbert W. Cox, Counsel

This Commission, created under Chapter 56 of the Resolves of 1943 was revived, continued and enlarged under Chapter 85 of the Resolves of 1945. This Resolve was approved July 25, 1945 and ordered a report to the legislature on or before December 1, 1946. By this later Resolve, the membership of the Commission was increased from nine to fifteen by the addition of a member from the Senate and five more members from the House.

Public hearings were held during this period in accordance with the provisions of the Resolve in the following cities and towns of the district: Lexington, Arlington, Woburn, Winchester, Medford, Revere, Newton, Braintree, Quincy and Weymouth. During the year, new plans were prepared for the proposed route from Harvard Square to

Lexington and to Waltham. The whole subject of feeder bus service has been under continual study and work and is going forward on the new report to be submitted to the legislature by December 1, 1946.

Capital Stock and Bonds

Ten applications for approval of an issue of stock, bonds or notes have been decided during the period from July 1, 1945 to June 30, 1946. The par value of the securities asked for was \$10,102,500 and the par value of the securities approved was \$9,887,500.

The following table shows the securities approved by the Commission for the several companies applying therefor, giving both the par value of the capital stock and the issue price thereof, determined as required by law.

Company	Capital Stock Approved			Bonds Approved	Date
	Amount At Par	Issue Price	Value Issue Price		
Brockton Edison Co.				\$1,900,000 (1)	12/13/45
Cambridge Electric Co.	\$85,000	\$150	\$510,000		6/28/46
Eastern Mass. Street Railway Co.				1,000,000 (2)	7/26/45
Eastern Mass. Street Railway Co.				2,100,000 (3)	11/5/45
				3,600,000 (4)	11/5/45
Lowell Gas Light Co.				50,000 (5)	7/25/45
" " " "				75,000 (5)	4/25/46
New Bedford Gas and Edison Light Company				1,000,000 (6)	3/1/46
Plymouth County Elec. Co.	60,000	31.25	75,000		7/25/45
Provincetown Light and Power Co.	17,500	100.00	17,500		11/15/45

- (1). Promissory Note
- (2). Promissory Notes
- (3). Unsecured Notes
- (4). General Mortgage Bonds
- (5). First Mtge. Bonds or Unsecured Notes
- 6.). Evidences of Indebtedness

ACCOUNTING

All annual returns required to be filed by gas, electric and water companies and municipal lighting plants were filed with the Department within the time prescribed by law.

Municipal Lighting Plants

The following is a list of the municipal plants with their percentage of earnings which, from returns filed in 1946 for the year ending December 31, 1945, appear to have violated the provisions of the statute requiring such plants to reduce their rates when they have earned a profit in excess of the 8 per cent allowed:

Ashburnham	10.26%
Mansfield	10.77%
Merrimac	8.03%
Middleton	11.63%
Peabody	13.92%
Sterling	8.94%

No reductions in rates have been filed by the above plants up to June 30, 1946.

The annual returns also show that the Town of Ashburnham failed to make sufficient annual appropriation to be included in the tax levy for 1945 for the estimated cost of electricity to be used for street lighting purposes. The estimated amount which should have been paid as defined in Section 58 of Chapter 164 of the General Laws was \$1,464.87 The town appropriated only \$950.00.

In accordance with the provisions of Section 69 of Chapter 164 of the General Laws (Ter. Ed.), the Department on June 7, 1946, notified the Attorney General of the Commonwealth of the above infractions of the law in order to effect compliance therewith.

The electric rates and charges of 28 electric companies were voluntarily reduced by the companies after several conferences with the commission during the fiscal year, with annual savings estimated as follows:

ESTIMATED ANNUAL REDUCTIONS IN ELECTRIC RATES

FROM
July 1, 1945 to June 30, 1946, inclusive.

<u>Company</u>	<u>Reduction</u>
Amesbury Electric Light Company	\$ 4,730
Athol Gas & Electric Company	13,585
Attleboro Steam & Electric Company	11,145
Beverly Gas and Electric Company	480
Boston Consolidated Gas Company	22,300
Boston Edison Company	1,200,000
Brockton Edison Company	28,900
Central Massachusetts Electric Company	46,230
Fall River Electric Light Company	40,750
Gardner Electric Light Company	9,400
Gloucester Electric Company	11,715
Lawrence Gas & Electric Company	97,190
Lowell Gas & Electric Corporation	104,910
Malden Electric Company	126,630
Manchester Electric Company	3,475
Nantucket Gas & Electric Company	4,400
Northern Berkshire Gas	28,320
Norton Power & Electric Company	980
Quincy Electric Light and Power	11,300
Spencer Gas Company	405
Southern Berkshire	11,479
Suburban Gas & Electric Company	10,400
Wachusett Electric Company	75,990
Western Massachusetts Electric Company	5 52,005
Weymouth Light & Power	14,870
Winchendon Electric Light & Power	1,300
Worcester County Electric Company	108,150
Worcester Suburban	185,270
Total	2,726,309

Gas, Electric and Water Utilities

The Division of Gas, Electric and Water Utilities during the past year has performed its customary departmental duties relating to gas and gas meter inspections, and the equipment, charges and quality of services supplied by the various gas, electric and water companies. Although World War II was terminated during the year, the Department's gas meter inspection work has been somewhat restricted and limited due to the inability of the companies to obtain necessary materials and labor. The Division's work for the year may be briefly summarized as follows:

During the past year the Division inspected, tested and badged 78741 gas meters as required by statute. Those meters found correct were sealed and badged as required. The number of meters tested was about 40% more than the previous year, but substantially less than the number that should have been tested under statutory provisions because of the restrictions placed on the use of tin and manpower. There were tested 89 gas meters on complaint of which 44 were found incorrect as defined by statute. Certain Federal restrictions relating to the use of tin having been modified, the statutory tolerance limit of accuracy for gas meters was reduced from 4% to the prewar customary 2%. The Division calibrated one five-foot gas meter prover, ten experimental wet laboratory gas meters, and eight calorimeter thermometers.

There were no electric meters officially tested on complaint for accuracy during the past year. Unofficially, a number of inspections and checks of electric meter accuracy were made with very satisfactory results, incidental to the Division's investigation of electric complaints.

An electric meter is a precision instrument and our experience is invariably that the accuracy of an electric meter when checked is well within the 5% tolerance allowed by statute.

The Division made 460 inspections of the gas supplied by the 44 gas companies and 4 municipal plants operating in the Commonwealth. These inspections revealed 34 instances where the calorific content of gas was found below the standard, and in 55 tests the gas was found to contain sulphurated hydrogen. There were no observed violations of the ammonia or sulphur content of the gas inspected.

The Commission considered the statutory violation with respect to sulphurated hydrogen found in the gas supplied by the Salem Gas Light Co., Gardner Gas, Light and Fuel Co., and the Wakefield Municipal Gas Plant. In each instance the violation was excused as being due to unavoidable cause or accident.

The increase found in violations is due in large measure to the increased gas sent out of the companies and the poorer quality of gas making materials together with the inability of many companies to procure new corrective equipment.

A total of 597 accidents involving gas and electricity were reported, to the Department. Of this number gas was involved in 544 cases of which 155 were fatal, and electricity concerned in 53 accidents of which 13 were fatal. All accidents reported which appeared to require investigation were considered by the Division. The number of accidents involving electricity continues at a level higher than before the war, due we believe in some measure to the carelessness of employees.

There were investigated 270 electric, 113 gas and 32 water company complaints relating to charges, rates, quality of service, and extensions of mains and lines by the various companies. These complaints were considered

informally and invariably adjusted to the satisfaction of all parties concerned without the necessity of formal hearings. The shortage of poles, wire and other construction materials, together with the pent up demand for gas and electric service has developed many situations wherein service to prospective customers has been unavoidably delayed.

The Division completed two investigations, one in Duxbury and the other in Marshfield relative to the electric plant and service of the Plymouth County Electric Company. These reports and recommendations, we believe will result in improved service to the two communities and benefit the company.

Studies were made relative to the practices of various electric companies, applying the fuel clauses in the rate schedules with an appropriate report and recommendation.

Further study and consideration was given to the use of propane for the enrichment of manufactured gas and to carry peak Winter loads. The use of liquid petroleum gases in the Commonwealth is increasing at a rapid rate by both the gas companies, and by individuals outside the Department's jurisdiction.

Investigations were made relative to the practices of submetering electricity by the Boston Edison Company to its customers. A survey was conducted of available supplies of fuels on hand for gas and electric production, as a result of the reduced supply due to the coal and transportation strikes.

After investigating, the Department order permitting gas and electric companies to estimate meter readings on alternate months for billing purposes was rescinded. There was also made an investigation with formal hearing and report on DPU 7374, relating to the Lynn Gas & Electric extending its gas mains into certain areas of Peabody, and DPU 7369, the petition of the Dedham, Hyde Park Gas Company relating to the waiving of zoning laws in the area of Hyde Park.

There were many other investigations conducted during the year, and the Division collaborated with the Departments other Divisions in matters of Departmental policy with respect to the practices of the Utility companies.

The Division received and accounted for \$20,603.70 in fees received for the testing of gas meters during the past year. This sum is approximately \$6000 more than in 1945.

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Engineering Division

During the fiscal year, the Engineering Division checked the plant accounts and inspected the property of the following companies in accordance with D.P.U. 4980.

<u>Company</u>	<u>Years Checked</u>	<u>Securities Asked For</u>
Pittsfield Electric Company	8	-
United Electric Company	8	-
Lowell Gas Light Company	8	\$ 75,000 bonds or notes
Leominster Electric Light Company	19	-
Cambridge Electric Light Company	1	\$ 3,338,000 Notes
Norwood Gas Company	15	-
New Bedford Gas and Edison Light	1	\$ 2,000,000 Notes
Buzzards Bay Gas Company	14	(\$600,000 Bonds) (\$300,000 Pref. Stock) (\$ 75,000 Com. Stock)
Cambridge Gas Light Company	1	-
Worcester Gas Light Company	1	\$ 1,445,000 Stock) \$ 2,900,000 Notes)
Middlesex County Electric Company	25	
Southern Berkshire Electric Company	18	
	<u>119</u>	

The plant accounts of the following companies were checked but the property not yet inspected:

Turners Falls Electric Company	14
Western Mass. Electric Company	6
Worcester Suburban Electric Co.	17
Blackstone Electric Company	5
Westborough Gas and Electric Co.	2
Salem Electric Company	21
Worcester County Electric Co.	24
	<u>89</u>

The plants of the following companies were inspected:

Millbury Switching Station, New England Power Co.
Hydro plants on Deerfield River, New England Power Co.
Vermont and Bellows Falls Hydro Plants, New England Power Co.

An investigation was made and a report submitted on a complaint regarding smoke and noise from the Boston and Maine Railroad engine house at Clinton. A study was made of passenger traffic on the Old Colony portion of the New Haven during and immediately after the termination of gasoline rationing.

Data was compiled on traffic of the Worcester Street Railway.

A member of this division represented the Department at the Conference of State Utility Engineers at Belgrade, Maine.

This division assisted in the preparation of data for the Metropolitan Transit Recess Commission.

The office records of exhibits filed in accordance with D.P.U. 4980 were revised.

Investigations were made and reports submitted on petitions of the Boston Elevated Railway Company and the Hyde Park Gas Company for exemptions from zoning laws; of the Malden Electric Company for electric line in Somerville and of the Boston and Albany Railroad for the taking of land in Framingham and Sherbron; and on the petition of the Paxton Municipal Light Department to be allowed to increase depreciation rate.

During the course of the fiscal year, the Division inspected 153 regular bus routes; 82 emergency and other temporary routes; 6 trolley coach routes; 343 bus and trolley coach bridges; 17 restricted bus route bridges and 1 bridge on which restrictions were modified. Sixteen bridges were inspected on which restrictions were removed. Hearings were conducted and reports submitted on the following

Matters:

- On establishing a side track crossing of public way at grade.
- On petition of the Manomet Water Company for increased rates.
- On petition of a number of carriers for increased rates on sugar after complaint by the Office of Price Administration.
- On gypsum rail rates, hearings held at Atlantic City, New Jersey and at Boston.
- On trucking rates, Plymouth rate scales.
- On gypsum rail rates at Washington, D.C.
- On crushed stone rates on the Boston & Albany Railroad, Westfield to Boston.
- On rate scales of motor carriers.

Attended hearing as representative of the division on East Boston Tunnel tolls.

This division investigated and reported on proposed alterations in elevated structures of the Boston Elevated Railway Company.

A valuation was made of the Peabody Electric Light Department.

Additions, betterments and retirements of the Boston Elevated Railway were checked and also additions, betterments, retirements and

depreciation of the Boston and Albany Railroad.

Plans, etc. were checked for a building over the Cambridge Subway.

Relocation plans were checked of the New York, New Haven and Hartford Railroad at the Cape Cod Canal.

The following tariffs, schedules and contracts were filed during the fiscal year:

Railroads	<u>Freight:</u>	1028	<u>Passengers:</u>	93
Steamships	"	24	"	11
Express	"	66	---	
Motor Trucks	"	4077	---	
Street Railways and Buses	---		"	104
Aircraft	"	4	"	23
Telephone	Service	25		
Telegraph	Service	52		
Electricity	Sale	257		
Gas	Sale	39		
Water				
Gas, Electric and Water contracts		87		
Total.				<u>5907</u>

177 orders were issued for filings on less than statutory notice.
 10 cases were attended or conducted.
 23 joint board hearings, Interstate Commerce Commission were attended at Providence, Rhode Island.
 631 tariffs were examined and rejected.
 202 complaints on rates were investigated.
 5 hearings were attended on appeal cases before the Commission.

A representative of this division appeared representing the Department and testified in three cases before municipal and/or Superior Courts.

ACCIDENTS AT GRADE CROSSINGS DURING THE YEAR ENDING

JUNE 30, 1946

	<u>Protected Crossings</u>					<u>Unprotected Crossings</u>				
	No. of Cross- ings.	Kill- ed.	In- jur- ed.	No In- jury	Ratio of Casual- ties to Crossings	No. of Cross- ings	Kill- ed.	In- jur- ed.	No In- jury	Ratio of Casualties to Crossings
Boston & Albany R.R.....	65	-	1	1	1-65	74	1	-	1	1-74
Boston & Maine R.R.....	395	3	14	15	1-23	183	1	3	1	1-46
N.Y. N.H. & H. R.R.....	345	4	21	4	1-14	264	-	3	1	1-88
Central Vermont Ry.....	6	-	-	-	0-6	37	-	2	-	1-18
Hoosac Tun. & Wilm. R.R.	-	-	-	-	-	2	-	-	-	0-2
Fore River R.R.....	7	-	-	-	0-7	0	-	-	-	-
Grafton & Upton R.R....	-	-	-	-	-	34	-	-	-	0-34
	818	7	36	20	1-19	594	2	8	3	1-59

GRADE CROSSING ACCIDENTS INVESTIGATED

Number involving motor vehicles..... 56
 Number involving pedestrians..... -
 56

Number of accidents at protected crossings 45:	No. accidents train struck vehicle..... 45
No. of accidents at unprotected crossings 11:	No. accidents vehicle struck train.....11
Number of accidents during daylight	29: Passenger trains involved in 31 accidents.
Number of accidents during darkness	27: Freight trains involved in 23 accidents.
Number at public crossings	48: Light engines involved in 2 accidents.
Number at private crossings	8: Track motors involved in 0 accidents.

GRADE CROSSING ACCIDENTS INVESTIGATED

No. of accidents involving motor vehicles.. . . .	56
No. involving pedestrians	0

Forty-five of these accidents occurred at crossings with some form of protection, and eleven at crossings where there was no form of protection.

Twenty-nine of the above accidents occurred in the daylight and twenty-seven after dark. The number of accidents at public crossings was 48, at private crossings, 8.

The number of accidents in which a train struck a vehicle was 45, the number in which a vehicle ran into a train was 11. Passenger trains were involved in 31 accidents, freight trains in 23, light engines, 2, track motors, none.

Railroad and Street Railway

During the fiscal year the Division of Railway and Bus Utilities made 18,442 inspections of rolling stock, including locomotives, passenger and freight cars, 4,316 inspections of street railway cars, 555 trackless trolley coach inspections, 286 inspections of railroad and street railway bridges, 3070 inspections of railroad and street railway automatic and interlocking signals, 100 inspections of interlocking remote control and centralized traffic control systems and 1,407 inspections of grade crossing protection. In addition switches and derails, foot blocking bridge guards and crossing signs were inspected. Defective conditions were called to the attention of the proper officials of the companies and corrections were made.

The Division investigated 110 accidents and 411 delays on railroads, 400 accidents and 599 delays on street railways, and was represented at 16 railroad inquests

on railroad accidents and 4 inquests on street railway accidents. There were 238 complaints relative to railroad operation and 4 relative to street railways which were investigated and adjusted. Fifty special investigations and studies were made on grade crossing protection.

The Division issued 45 railroad, and 135 street railway police licenses.

Motor Bus Transportation

At the close of the fiscal year there were 150 persons, associations or corporations (including street railway companies) operating buses within the Commonwealth for the carriage of passengers for hire.

Common (only)	8
Charter (only)	36
War Emergency (only)	18
Common and Charter (only)	33
Common Charter and War Emergency	38
Common and War Emergency (only)	1
Charter and War Emergency (only)	16
	<u>150</u>

Making a total of 80 carriers operating under certificates of public convenience and necessity granted by the Department, 123 operating under special or Charter licenses granted by the Department and 73 operating under war emergency certificates issued under authority of Executive Order No. 11. There are 3 carriers who have suspended charter operations.

There were 664 bus permits (including duplicate and amended permits) and 8,691 bus drivers licenses (including duplicates issued), for which fees aggregating \$14,173 were received. The Division made 3,845 inspection of buses, 947 inspection of highway bridges on bus routes, defective conditions were called to the attention of the proper officials and corrections made. The Division also investigated 131 accidents, was represented at 3 inquests and investigated and

adjusted 91 complaints. There were 1042 drivers examined for bus drivers' licenses. The division also conducted hearings and conferences on matters pertaining to railroads, street railways and bus companies, and special studies of transportation in the City of Worcester as a result of converting from street cars to buses.

In compliance with Executive Order No. 11 issued by His Excellency, the Governor, April 25, 1942, the Department received, analyzed and investigated 9 applications for special licenses and war emergency certificates to operate buses for the carriage of passengers for hire during the war emergency. In many instances, it has become apparent that carriers who were operating under War Emergency certificates, in compliance with the aforementioned Executive Order No. 11, serving areas without any means of transportation, have upon application and in compliance with law, been issued permanent certificates to operate over these routes. The Division issued 7 war emergency certificates, there were 2 applications denied, 17 certificates revoked. At present there are 50 war emergency certificates outstanding as compared with 235 certificates issued.

Acting under the authority of the provisions of Chapter 221 of the Acts of 1938, the Director and other members of the Division presided at 185 public hearings held by the Department on matters pertaining to transportation of passengers for hire by railroad, railways and buses.

Commercial Motor Vehicle Division

During the fiscal year ending June 30, 1946, a total of 2,103 hearings were held by the division on new cases and amendments. In addition there were 598 hearings held on transfer applications. Alternate members from this division served on 26 joint board hearings of the Interstate Commerce Commission. There were 2,394 formal complaints received which required special investigations or hearings and 1,796 road checks were made by the examiners and investigators on the highways throughout the Commonwealth, and 341 survey reports filed.

The Department approved an order effecting reciprocity between Minnesota and this Commonwealth on January 16, 1946, making a total of twenty-three states that now enjoy reciprocity with Massachusetts in the matter of interstate transportation of property by motor vehicle for hire.

In May 1946, Chapter 376 of the Acts of 1946 became effective. This act provides for the issuance of plates to motor carriers and interstate licenses for use on temporarily leased vehicles by such carriers, and it further provides that these plates may be transferred from one such vehicle to another leased vehicle by the carrier to whom the plate was originally issued. During the war emergency, by executive order #72, a provision was made whereby carriers could obtain plates for leased vehicles and to make these plates transferrable. This executive order was of great benefit to the carriers who were unable to procure sufficient equipment of their own and at the same time have all the vehicles covered with the required D.P.U. plates. When the war period ended, equipment was still not readily available, and it was found necessary to have Chapter 159B amended to provide for the continued use of these temporarily leased vehicles by certified carriers.

On June 5, 1946 an act making further change in the law relative to motor carriers for hire became effective (Chapter 420 of the Acts of 1946). This act provides that common carriers who have failed to render service in accordance with the certificates issued to them for a period of 60 consecutive days shall be called in for a hearing at which time the holder of the certificate shall show cause why the certificate should not be forfeited or revised for his failure to render service. The purpose of this legislation known as Chapter 420 of the Acts of 1946 is to cancel out by department order those certificates which are not actually being used and which are being held only for purposes of transfer. A check of the division plate file showed that a large number of carriers, approximately 2500, failed to obtain plates for the year 1946, indicating that service was not being rendered.

At the close of the fiscal period there were 691 regular route common carriers, 8530 irregular route common carriers, 1120 contract carriers, 2017 interstate licensed carriers, 78 agricultural carriers, and five transportation brokers registered. There were 29,686 plates issued for the fiscal year and a net income of \$145,331 was received in fees on applications for certificates, permits, licenses, plates, transfers and certified copies.

Telephone and Telegraph Division

On June 30, 1946, there were 1,230,015 stations, a net gain of 124,420 stations over the preceding year. This figure includes 2009 telephone stations of the Western New England Telephone Company which company was taken over by the New England Telephone and Telegraph Company on June 30, 1945.

From July 1, 1945 to June 30, 1946 inclusive, there were 1,045 complaints made to the division which required special investigation.

During the course of the year 19 base rate area or exchange boundary changes were made.

The material situation is still acute - lead, steel, copper, cotton yarn and magnet wire - which has an important bearing on telephone construction activities.

Many thousands of applications are being held because of lack of central office facilities. Some Applications are also being held because outside plant facilities are also lacking. These applications include those for new or additional main telephones, private branch exchange and auxiliary lines and orders for changes of address as regrades of service.

In some buildings the Telephone Company has utilized all available space with the placing of temporary equipment in an attempt to tide over the situation. However, since this has only furnished partial relief, new structures are being built by the Telephone Company to house new operating equipment.

The instrument situation is not so acute. For this reason prohibition on residence extensions has been lifted and such service will be permitted when and where equipment is available.

The Office of War Utilities was disbanded as of September 30, 1945. All of the orders, regulations and functions of the Office of War Utilities with the exception of Utilities U-2, which prescribes the sequence for filing held applications for new telephone service, was ended on that date. Utilities Order U-2 has continued in operation with a change of name from War Production Board to Civilian Production Administration.

The order of preference established by the government has been adhered to strictly.

Schedule A, which formerly included war production, has been superseded by A-1 and in this category are those whose duties are essential to government, public health or welfare, such as Army, Navy, hospitals, physicians, clergymen, newspapers, radio broadcasting and public transportation companies.

New Schedule, A-2, has been added to take care of reconversion problems with emphasis on telephone service to aid employment.

A change was made in the U-2 Order which has benefited residence subscribers who move within the same central office area. These subscribers are now given Priority 1, having been moved up from Priority 5, and are given service without delay.

Schedules B and C remain substantially the same.

Division of Smoke Inspection

The Division encompassed the same territory as in recent years- 29 cities and towns in an area of 290 square miles. The population comprising this area is approximately two million people. Every city and town was covered periodically throughout the year, with the industrial areas receiving more attention than the rural districts.

In noting the increase in violations on stationary stacks (from 618 in 1945 to 742 in 1946), the necessity for using poor fuel is the excuse most generally given by the owner or operator of the offending plant. The coal strike of the last year was responsible to some degree for the poor quality of fuel many of the plants were forced to use.

The decrease in the number of locomotive violations (from 143 in 1945 to 115 in 1946) was due to greater cooperation on the part of the railroads, and more vigorous inspections on the part of the Division.

The services of the Division were requested and used by the Department of Public Utilities in a case brought by the Attorney General of the Commonwealth against the Boston and Albany Railroad, in a public hearing before the Public Utilities Commission under Chapter 188 of the General Laws. The Division gathered samples of cinders and fly ash used in evidence at the hearing. These were subjected to various tests under the microscope in the office of the Division. The Director and one of the inspectors testified at the public hearing which was held January 9, 1946, at the State House.

The 132 complaints from individuals concerning the smoke nuisance were investigated thoroughly and the complainants notified of the results. In all cases except that of the Boston and Albany Roundhouse, the investigation has cleared up the condition complained of, and in the case of the

Roundhouse temporary relief was secured for the complainants.

It should be noted that the observations of marine stacks which were of little value during the war years, since the names of most ships were unknown, are now worth recording, as the ship in question can be identified.

The Division made 428 plantscalls, held 39 office conferences, received and investigated 132 complaints, and held 2 hearings.

	1945	1946
Observations on Stationary Stacks	231,579	244,774
Observations on Locomotive Stacks	37,415	36,375
Observations on Marine Stacks	<u>6,899</u>	<u>7,813</u>
Total.....	275,893	288,962
Violations on Stationary Stacks	618	742
Violations on Locomotive Stacks	143	115
Violations on Marine Stacks	<u>26</u>	<u>68</u>
Tt al.....	787	925

Observations were made on 4452 stationary stacks, 4127 of which no violations were noted. Nine of these violations were in public service stacks, 180 on manufacturing stacks, 136 on office buildings and apartment houses.

Of the 742 violations reported on stationary stacks, 320 were on oil burning plants, 377 on coal burning plants, 45 burning wood or rubbish.

Stationary Violations on:

	<u>1945</u>	<u>1946</u>
Class I Stacks	524 - 84.79%	655 - 88.27%
Class II Stacks	84 - 13.59%	77 - 10.38%
Class III Stacks	10 - 1.62%	10 - 1.35%
	<u>618 - 100.00%</u>	<u>742 - 100.00%</u>

	<u>Stationary Violations</u>		<u>Complaints Received</u>	
	<u>1945</u>	<u>1946</u>	<u>1945</u>	<u>1946</u>
Arlington	1	0	0	0
Belmont	0	0	0	3
Boston	470	593	51	67
Braintree	2	7	0	3
Brookline	6	9	3	7
Cambridge	25	31	9	7
Canton	0	2	0	0
Chelsea	19	11	1	1
Dedham	1	2	0	0
Everett	5	5	0	1
Lynn	4	4	2	2
Malden	4	2	2	8
Medford	15	13	3	4
Melrose	1	0	0	0
Milton	0	1	3	2
Needham	0	1	0	0
Newton	1	1	2	4
Quincy	32	17	4	2
Revere	3	1	3	1
Saugus	0	0	0	0
Somerville	18	21	6	8
Stoneham	0	0	1	0
Wakefield	1	0	0	1
Waltham	1	5	3	2
Watertown	4	7	12	4
Weymouth	3	8	0	1
Winchester	1	1	0	0
Winthrop	0	0	0	1
Woburn	1	0	0	3
Total.....	618	742	105	132

Assessments

Division of Smoke Inspection

<u>Cities and Towns</u>	<u>1945</u>	<u>1946</u>
Arlington	590.72	454.46
Belmont	559.01	429.67
Boston	15,255.35	11,725.69
Braintree	292.19	227.10
Brookline	1,415.42	1,055.90
Cambridge	1,786.80	1,379.03
Canton	86.92	66.78
Chelsea	447.06	343.83
Dedham	267.05	204.96
Everett	788.69	634.77
Lynn	1,402.41	1,079.55
Malden	726.35	562.16
Medford	825.16	630.17
Melrose	413.84	319.08
Milton	418.22	312.79
Needham	285.89	220.87
Newton	1,777.52	1,364.25
Quincy	1,376.61	1,056.54
Revere	417.02	319.90
Saugus	167.80	130.05
Somerville	1,193.11	937.86
Stoneham	153.86	118.45
Wakefield	234.25	181.13
Waltham	551.28	427.55
Watertown	541.17	419.05
Weymouth	546.04	421.31
Winchester	353.90	272.92
Winthrop	252.45	193.90
Woburn	213.91	165.66
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Total	\$ 33,340.00	\$ 25,655.38
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Cost		
Per Capita	\$ 0.0178	\$ 0.0137
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Division of Investigation of Securities

As in the preceding year, the major portion of the work of the Division has been the qualification of securities in the amount of \$2,632,226,546.00.

The information filed with the Division in connection with the qualification of securities was examined as to assets and liabilities, provisions for payment of the dividends, and the voting rights of the stockholders, for the purpose of determining whether fraud would result if the Department allowed the sale of the securities in this Commonwealth.

Applicants for registration as salesmen and brokers were examined as to their qualifications for registration and their knowledge of the securities business. They were also required to file information under oath as to their past occupations, criminal record, character, and other pertinent information.

The Division has been in receipt of inquiries relative to the status of registered brokers. Not more than one-half dozen complaints have been received against registered brokers or salesmen. These complaints were investigated, and were either adjusted or no evidence of fraud was found by the Division.

Investigations	485
Brokers Registered	429
Salesmen Registered	2,012
Total Receipts, Fees for Registrations .	\$31,510.00
Securities Qualified	485
Aggregate Capital of Securities Qualified for sale in this Commonwealth .	\$2,632,226,546.00

In accordance with the provisions of Section 32 of chapter 30 of the General Laws as amended by Chapter 499 of the Acts of 1939, the Department submits the following list of all rules and regulations made or promulgated by the Department and in force and effective on June 30, 1946:

<u>Date</u>	<u>Number</u>	<u>Accounting</u>
12/23/13	PSC 158	Re filing returns of all salaries of officers or employees of utility companies in excess of \$6,000.
5/27/21	DPU 104	Reclassification of accounts prescribed for gas and electric companies.
11/25/21	" "	Reclassification of accounts for municipal lighting plants.
1/1/34	" "	Amendment
10/28/21	" 573A	Re annual returns of water companies.
7/12/23	" 1073B	Re annual returns of water companies.
12/28/23	" 1073E	Re destruction of records of gas, electric and water companies and municipal lighting plants.
7/11/23	" 1287	Uniform system of accounts for water companies.
	" 3056B	Regulations for operation of buses and forms of accounting.
7/31/31	" 4240	Accounts, records, memoranda, forms of annual returns of common carriers, of gas and electric companies and of water companies.
12/29/33	" "	Amendment.
9/28/34	" "	"
3/18/38	" "	"
10/1/41	" "	"
7/27/43	" "	Order of the Department adopting amendment to Uniform System of Accounts of the Interstate Commerce Commission, effective August 31, 1942.
6/15/45	" "	Amendment
7/19/45	" "	"
11/24/43	" "	Order of Department dated November 24, 1943, relative to annual returns of bus companies having gross revenues of over \$100,000 and prescribing new forms for those having gross revenues of less than \$100,000 annually, to be effective January 1, 1945.
12/9/32	---	Uniform system of accounts for railroad subsidiary motor transportation companies.
7/14/32	" 4447	Lending money by gas and electric companies under provision of c. 132 of Acts of 1932.
3/24/33	" "	Amendment
6/15/42	" "	"
12/24/35	" 4980	Filing of schedules of additions and betterments to properties and schedules of property abandoned or removed during preceding calendar year.

Date Number

2/6/36 4980

Accounting

Instructions to accompany orders relative to capital expenditures.

Rates and Tariffs

Regulations established by Massachusetts Department of Public Utilities under authority of Chapter 159B of the General Laws, as amended, relating to motor carriers and brokers and defined in said act, cancelling rules and regulations contained in D.P.U. 4926 dated February 12, 1934 and D.P.U. 5739, effective November 30, 1938.

2/13/42 6710

Rules and regulations for filing of tariffs and schedules, cancelling rules and regulations contained in order dated July 15, 1927 as amended by order dated June 23, 1933 (D.P.U. 4600-I), as to common carriers (except of property by motor vehicle) gas, electric and water companies.

8/19/42 6527Z

Authorizing senior rate engineer and assistant rate engineer to approve petitions of common carriers to file tariffs on less than statutory notice and to approve petitions for waiver of rules relating to form and filing of tariffs as set forth in DPU 6705.

10/13/42 6527AB

No schedule of rates containing general increases shall be accepted for filing unless accompanied by copy of 30-day notice regarding such increase under Executive Order of the President of the United States, dated October 3, 1942 and relative to the timely intervention by a Federal Agency.

10/13/42 6527AC

All tariffs of common carriers containing increases presently on file and not yet effective as of this date shall be suspended and deferred until December 1, 1942, unless otherwise ordered by the Department.

5/1/42 6705

Commercial Motor Vehicles

Part I--General:

Condition of issuance of certificate.

Amendments in certificate of permit.

Transfer and assignment of rights and Interstate licenses.

Insurance.

Determination of carriers' radius of operation.

Denial of application for failure to file tariffs, schedules, or contracts.

Filing of common carrier tariffs and contract carrier schedules.

Extension of credit.

Brokers' fees and tariffs.

Enforcement.

Date	Number	<u>Commercial Motor Vehicles</u>
5/1/42	6705	<u>Distinguishing plates.</u> Name of carrier on vehicle. Observance of other laws and regulations. Explosives and inflammable materials. Payment of C.O.D.'S. Payment of judgments. Narcotics and intoxicating liquor. Freight bills and records of transportation charges. Appeals or petitions to the commission. Agricultural carriers. Part II, governing form and filing of freight rate tariffs, schedules and contracts by motor carriers and brokers. Prescribing form of application, permit and fees for transportation of property on the Lord's day, Under provisions of Executive Order No. 6. Prescribing distinguishing plate for 1943. Amendment, Rule 13. Re distinguishing plate and tab.
2/25/42	6527J	
11/27/42	6705BI " C " B2	
8/19/31	4214	<u>Gas, Electric & Water</u> Installation of automatic shutoffs for gas meters and approval of types of automatic devices, and amendments. Specifications for device for sealing or marking gas meters during war emergency., in substitution of usual tag, because of inability to obtain certain materials. Amendment. Electric meter tests and fees. Rules of gas, electric and water division.
10/9/41	6527B	
10/21/41 9/24/26 10/13/44	" 5527R 7027AV	
2/8/29	--	<u>Smoke Abatement</u> Authority Section 4, c.651, Acts 1910: All observations of smoke to be used as evidence at the trial of a person or corporation for violation of an order of the board made under above authority shall be made in accordance with Ringelmann's smoke chart, as published and used prior to February 6, 1911 by United States Geological Survey. All such observations shall be recorded at the time that they are made and shall be made on at least three separate days within a period of 60 days. The records of all such observations shall be open to public inspection, in the presence of an employee of the Department, in the main office, when the main office is open. The Division shall hereafter perform all functions of administration and enforcement
9/27/34	--	

Date Number

Smoke Abatement

of c. 651 of the Acts of 1910, and acts in amendment thereof and in addition thereto, imposed upon the Commission by said c. 651 and acts in amendment thereof and in addition thereto, except so much of s. 4 said c. 651 as provides as follows: "The board, with the approval of the Governor and Council, may make such rules and regulations as it deems advisable for its own government, for the government of its employees and assistants, for observation of smoke by the inspector of his duly authorized agents at reasonable intervals, and for keeping proper records of all observations."

Division of Investigation of Securities

In registering security brokers under provisions of c. 110A, an individual broker must at least have \$5000, either in cash or securities, in excess of his liabilities; a partnership, \$5000 for each member of the partnership; a corporation at least \$25,000 in cash or securities.

The maximum commission permitted in the sale of securities is 25 per cent for common stock, 15 per cent for preferred stock, and 10 per cent for bonds.

See D.P.U. 779.

Railway & Bus

11/8/20	DPU 300	Rules as to safety devices on street railway cars, and amendments.
12/24/31	" 4224	Rules and regulations under provisions of section 2, c. 135, Acts 1931. Signals by rail-borne motor cars operated on railroads.
3/11/32	" 4350	Rules, terms and conditions for operation of motor vehicles for carriage of passengers, for hire, and amendments.
5/23/40	" 4350CW)	Re amendment to rule 1, above.
	6027W	
3/27/44	" 4350	Amendment.
6/30/32	" 4437	Rules, terms and conditions for operation of sightseeing automobiles for carriage of passengers for hire, and amendment.
3/12/35	" 4888	Re equipment of railroad trains and cars with emergency tools and appliances.
12/4/36	" "	Further order.
10/22/42	" "	Further order.
5/13/42	" 6527N	Re operation of buses in charter or special service under c. 159A of General Laws and chapter 404 of Acts of 1939, and paragraph 4 of Executive Order No. 11.
6/1/42	" 6527T	Prohibiting street railway companies from discontinuing operation of street cars unless authorized to do so upon petition to Department, commencing June 3, 1942.

Date Number

Railway & Bus, continued.

6/1/42 6527U

Suspending certificate of public convenience and necessity issued for operation of sight-seeing automobiles carrying persons in or from City of Boston.

7/18/27 2903

Re bonds to be filed by licensees of motor vehicles for carriage of passengers for hire. Amendment to 2903, as to amount.

4/28/42 4571

12/29/39 6000

Re bonds and insurance policies to be filed by licensees engaged in special or charter service.

4/14/43 7026

General

Re notice of 14 days to be given for hearings before the Department.

Respectfully submitted,

Thomas A. Flaherty
Chairman

Francis M. McKeown

Leah L. Weiss

Harry Fred

John M. Wholey
Commissioners